

Exhibit 56

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

STAN LEE MEDIA, INC.,

Plaintiff,

vs.

THE WALT DISNEY COMPANY,

Defendants.

)

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) Civil Action No.

) 1:12-cv-02663-WJM-KMT

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VIDEOTAPED DEPOSITION OF STAN LEE

Beverly Hills, California

Thursday, March 14, 2013

Volume 2

Reported by:

ALENE M. CASTRO

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

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STAN LEE MEDIA, INC.,)
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Plaintiff,)
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vs.) Civil Action No.
) 1:12-cv-02663-WJM-KMT
THE WALT DISNEY COMPANY,)
)
Defendants.)
_____)

Videotaped deposition of STAN LEE, Volume 2,
taken on behalf of Plaintiff, at 9601 Wilshire
Boulevard, Suite 700, Beverly Hills, California,
beginning at 8:55 a.m. and ending at 10:09 a.m. on
Thursday, March 14, 2013, before ALENE M. CASTRO,
Certified Shorthand Reporter No. 4847.

1 APPEARANCES:

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1 APPEARANCES (Continued):

2
3 Also Present:

4 MICHAEL WOLK, Walt Disney Corporate Representative

5 ELI BARD, Deputy Chief Counsel, Marvel

6 Entertainment

7
8 Videographer:

9 GRANT CIHLAR

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EXAMINATION

BY MR. RICH:

Q Good morning, Mr. Lee.

A Good morning.

Q We have met before. I'm Bruce Rich, and I 08:57:14
will be asking you some questions this morning on
behalf of our client the Walt Disney Company.

A Right.

Q As usual, if you don't understand the
question or if I let my voice drop and you don't 08:57:23
hear me, I'm sure you'll let me know.

A Right.

Q I would like to spend a little bit of time
this morning quickly going through a bit of your
history dating back a few years to your involvement 08:57:34
in the comic books industry. Am I right that you
began your career in the comics industry around
1940?

A Right.

Q So by my math, you were maybe 17 years old 08:57:47
or so?

A Yes, just about that.

Q Okay. And what was your first employment
in the comic book industry?

A I heard there was a job open at a company 08:57:55

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1 called Timely. Actually, the parent company I think
2 was Magazine Management or something like that. And
3 they had other books. They had movie books, men's
4 books and so forth. And I went up there, and I
5 found out -- I didn't know until I got up there that 08:58:12
6 the job they had was in the comic book department.
7 So a job was a job, and I took the job. I was an
8 assistant to the two people who really ran the
9 department, Joe Simon and Jack Kirby.

10 Q And am I correct that Timely, over time 08:58:29
11 through various corporate changes, became what we
12 know to be Marvel Comics today?

13 A That's right.

14 MR. CHAPMAN: Objection; leading the
15 witness. 08:58:40
16 BY MR. RICH:

17 Q And who at the time was running Timely?
18 Who was the ultimate boss?

19 A The ultimate boss at that time was Martin
20 Goodman, the publisher. 08:58:48

21 Q Now, so for a period of time you were an
22 assistant to, you indicated, two individuals, one of
23 whom, as I recall, is Jack Kirby; is that correct?

24 A That's right.

25 Q And did there come a time when you were 08:58:59

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1 witness.

2 BY MR. RICH:

3 Q Who had the final say -- who had the final
4 say as to whether a new title would be developed or
5 a new character would ever appear in one or more 09:03:20
6 economic issues?

7 A My publisher Martin Goodman.

8 Q And did you ever precede with a concept for
9 a new title involving, let's say, a new character
10 without discussing it first with Mr. Goodman? 09:03:40

11 A Well, there was one time. Spider-Man. He
12 had never liked the idea of Spider-Man when I
13 proposed it to him. He told me that people hated
14 spiders, so you couldn't call a hero Spider-Man. I
15 wanted him to be a teenager. And he said you can't 09:03:59
16 have a teenager as a hero. They can only be
17 sidekicks. And then I wanted him to have a lot of
18 personal problems. And Martin said, Stan, don't you
19 know what a superhero is? They don't have personal
20 problems. So from every point of view he didn't 09:04:16
21 like the character.

22 I thought it was a good one, and I wanted
23 to get it done somehow. So we had a book that we
24 were going to drop called "Amazing Fantasy," I
25 think. Now, when you're going to drop a book, 09:04:31

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1 nobody cares what you put in the last issue because
2 the book is going to die. So just for fun I put
3 Spider-Man -- without asking Martin because he
4 didn't care what went into the last issue of
5 "Amazing" -- I put Spider-Man in there, and I put 09:04:47
6 him on the cover. And the book sold like -- it just
7 sold wonderfully.

8 And Martin came in to me later, and he said
9 you know that character Spider-Man of yours that we
10 both liked so much, why not make it a series. I'll 09:05:01
11 never forget that.

12 Q And did that series go forward with
13 Mr. Goodman's approval?

14 A Yes.

15 Q Would it have gone forward without his 09:05:10
16 approval?

17 A No, it couldn't.

18 Q Why couldn't it have?

19 A Well, he was the publisher, and he was the
20 guy who said you'll do this or you won't do that 09:05:18
21 because he was paying for everything.

22 Q Did Mr. Goodman have the right to accept or
23 reject particular story lines that were being
24 proposed for publication?

25 A Yes. 09:05:29

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1 Q Did he ever do so?

2 A Hardly ever.

3 Q But he had the power to do it?

4 A He had the power to do it, yes.

5 Q Did he have the authority to edit materials 09:05:37
6 that were submitted for publication?

7 A If he wanted to, yes.

8 Q Now, I take it you were paid for your
9 activities on behalf of Marvel back in -- again,
10 we're talking in the era when you were performing 09:05:54
11 these editorial supervisory functions and acting as
12 a writer, '50s, '60s; okay?

13 A Yes, I was paid.

14 MR. CHAPMAN: Objection; leading and
15 compound. Mr. Rich, could you wait until I finish 09:06:05
16 my objection before you start your next question?

17 MR. RICH: Didn't realize I hadn't.

18 MR. CHAPMAN: You hadn't.

19 BY MR. RICH:

20 Q How were you paid for your -- the duties 09:06:15
21 you performed at Marvel?

22 A Not enough. And I was paid on a, as
23 everyone else was, on a per page rate.

24 Q And that was for your writing contributions
25 or for something else? 09:06:31

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1 A Well, I was paid -- I received a salary,
2 okay. The salary was for being editor/art director.
3 But when I would write a script, I was paid, as all
4 the script writers were, by the page. So if I wrote
5 a 10-page script, and whatever the rate was, they 09:06:47
6 multiplied it by 10, and that was my payment.

7 Q And did the per page rate depend on the
8 success, the degree of success of the particular
9 work which you contributed to?

10 A Well, no one particular work. But as the 09:07:00
11 head writer, I got the largest rate. Although there
12 were other writers that got as much as I did. We
13 had a number of writers who were pretty steady that
14 I had hired who were good who also wrote things.
15 And I gave them a good rate. And then when we had a 09:07:21
16 new beginning writer, a tryout writer, a writer who
17 wasn't that good, but we'd give him something
18 because the other writers didn't have time, he would
19 get less per page.

20 Q On a given project, though, the per page 09:07:34
21 rate -- my question wasn't clear enough, I
22 apologize -- the per page rate you received, did it
23 vary depending on whether a particular project was a
24 big success or a flop?

25 A Not really, no. 09:07:47

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1 A Other writers?

2 Q Yes.

3 A Oh, sure.

4 Q And other artists?

5 A Yes. 09:08:51

6 Q And what was -- would you describe
7 generally the process by which a particular issue or
8 project came together and what your role was in
9 supervising that project.

10 A Well, the books had to be published on a 09:09:03
11 regular basis. Most of them were monthly. So after
12 one book had been published, we needed another book
13 all ready to go to the printer 30 days later. If
14 that book didn't make the printing date, the
15 publisher would have to pay for the printing time 09:09:23
16 anyway. So it was like life or death that no book
17 be late. I remember in my -- I had a small office.
18 I had a clock on all four walls so wherever I was
19 facing, I could see what time it was because this
20 artist had to come up at this time, this writer had 09:09:42
21 to be up.

22 And I would read the script, and I would
23 make some suggestions -- there's too much dialogue
24 here or this doesn't sound like what this fellow
25 would really say or -- whatever suggestions I would 09:09:56

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1 make on the scripts that were handed in. These are
2 the scripts other people wrote. The scripts I
3 wrote, I was my biggest fan. So I loved everything
4 I wrote. There was very little editing.

5 But on the artwork -- my job was more 09:10:13
6 important as art director than editor, I think,
7 because I wrote most of the stuff. So I didn't
8 worry much about the editing. But the artwork
9 was -- you could take -- it's like a movie. You
10 could take the best script in the world, and if you 09:10:30
11 have a bad director or actors who aren't good,
12 you've got nothing. Once the script was there, I
13 had to make sure that the artist drew it excitingly
14 enough, understandably enough, that there wasn't too
15 much dialogue, too little dialogue, that everything 09:10:47
16 was moved in the right pattern. My main job,
17 really, was working with the artists. Working with
18 the writers was easy.

19 Q Were there other contributors than just the
20 artists and the writers? Did other people come 09:11:03
21 together to create the final product that was
22 published?

23 A Yes.

24 Q Can you identify them.

25 A Yes. There were letterers who would put in 09:11:10